

EL 101:



WHAT TO DO WHEN AN
ENGLISH LEARNER ENROLLS AT
YOUR SCHOOL

Title IX of NCLB defines Limited English Proficient as the following:



Means an individual—

- (A) who is age 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)(i) who was not born in the United States or whose native language is a language other than English;
 - (ii) (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
- (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—
 - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.



The Law

The following is an overview of a few of the most significant laws that protect and guide the education of Limited English Proficient students



Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities that receive federal financial assistance. This has been interpreted by the Office for Civil Rights (OCR) to mean that a student cannot be denied equal access to education because of a student's limited proficiency in English.



Memorandum of Title VI Policy on Language Minority students states the following:

“Where the inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.”

Lau v. Nichols



In 1974, the U.S. Supreme Court upheld the Title VI policy in the Lau v. Nichols case by stating the following:

“There is not equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”



Home Language Survey



- When any student enrolls at your school, the first thing to do is check their cumulative folder for a Home Language Survey (HLS)
- If you do not have the student's cumulative folder, try to make every attempt possible to obtain it from their previous school
- If you are unable to obtain the HLS, administer a new HLS to the child's parent/guardian

The Three Questions to Ask on a HLS:



1. What is the native language of the student?
2. What language(s) is spoken most often by the student?
3. What language(s) is spoken by the student in the home?

If any response indicates a language other than English, the student should be administered a Placement assessment to determine their English proficiency

Key Points about the HLS



- The HLS should be student specific and should not ask about the language of the parent/guardian
- Please emphasize the importance of the HLS and the need to fill it out correctly. Whatever is put down on the HLS cannot be changed for any reason
- Because of the importance of the HLS, our department (Office of English Learning and Migrant Education) recommends not having the HLS as part of a registration packet when the student enrolls, but rather have it as a separate document for the parents to fill out, if applicable

What if I found a previous HLS in the Student's Cumulative Folder?



- If you found a HLS in the student's folder, please make sure it is from within Indiana. If it is not, administer a new HLS
- If you have found an already completed HLS from a school within Indiana, you must go by whatever is on that form- do not administer a new HLS!
- If the HLS found in the cumulative folder indicated that a language other than English was spoken, then the student should have been enrolled in a language development program at their previous school
- Look in the student's cumulative folder to find evidence of a Placement assessment and/or the Annual Spring LAS Links assessment. If you are able to find these records, you do not need to give a new placement assessment



LAS Links Placement Assessment

Overview



- In 2006, the State of Indiana adopted the Language Assessment Scale (LAS) Links Placement and Annual assessments by CTB McGraw Hill
- The Placement assessment is used to determine the English proficiency of a student that has identified they speak a language other than English
- The LAS Links Placement assessment is free to all public schools
- The LAS Links Placement assessment should only ever be administered once to the student while in your corporation
- Students who have started on the first day of school must be given the Placement assessment within 30 days. Students who have arrived after the first day must be given the Placement assessment within 2 weeks



The LAS Links Placement assessment measures the English proficiency of a student. A student will be placed into one of five categories:

Level 1	Beginning
Level 2	Early Intermediate
Level 3	Intermediate
Level 4	Proficient
Level 5	Above Proficient/ Fluent English Proficient (FEP)

What do the Levels Indicate?



- If a student scores a Level 1-4 on the Placement assessment, they are considered to be Limited English Proficient (LEP) and should be placed into a language instruction program
- If a student scores a Level 5 on the Placement assessment, they are considered to be Fluent English Proficient (FEP) and do not need to be placed in a language instruction program



Level 1	Beginning	LEP (needs services)
Level 2	Early Intermediate	LEP (needs services)
Level 3	Intermediate	LEP (needs services)
Level 4	Proficient	LEP (needs services)
Level 5	Above Proficient/ Fluent English Proficient (FEP)	FEP (does <u>not</u> need services)

Notification of Placement Score



- After a Placement assessment has been given, the school must notify parents no later than 30 days (if the child was present on the first day of school) that their student was tested and placed in a language instruction program
- For student's who were identified after the first day of school, the school must notify parents within the first 2 weeks of the child being placed in a language instructional education program

What Should the Notification Letter Include?



- The reason for identification of their child as LEP and the need for placement in a language instruction program
- The child's level of English proficiency, how it was assessed, and the status of the child's academic achievement
- The methods of instruction that are used and the program that the child will be placed into
- How the program will meet their child's educational strengths and needs
- How the program will help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation
- The specific exit requirements for the program, including the expected rate of transition from the language education program into a classroom not tailored for LEP children and the expected graduation rate of the corporation
- If the child has a disability, include how such program meets the objectives of the individualized education program of the child

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The corporation must also give parents information pertaining to parent rights, including:

- The right that parents have to have their child immediately removed from the program upon their request
- The options that parents have to decline to enroll their child in such programs or to choose another program or method of instruction
- Assisting parents in selecting among various programs and methods of instruction, if more than one is offered

Note: Parents need only to be informed of these rights, but do not have to be given a choice on the letter whether they would like to accept or deny participation

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“The notice and information provided...to a parent or parents of a child identified for participation in a language instruction educational program for limited English proficient children shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.”



Individual Learning Plan

Overview



- The Individual Learning Plan (ILP) is a plan for students who have been identified on the Placement assessment as a Level 1-4
- The ILP is a specialized plan for each LEP student that details accommodations, modifications, and goals to be implemented in the classroom to help LEP students be successful
- All students who are Levels 1-4 must have an ILP and teacher(s) must be given a copy and adhere to everything on the ILP
- The ILP should be made by the student's classroom teacher (elementary) or teacher(s) (secondary) in conjunction with the school's ENL teacher or appointed administrator

What Should an ILP Include?



There is not a specific ILP that must be used, rather it is left up to corporations to create an ILP based on their student's needs. However, IDOE recommends the following be included in an ILP:

- General information about the student
- LAS Links Placement proficiency level
- Annual LAS Links proficiency level, with sub-group levels in Listening, Speaking, Reading, Writing, and Comprehension
- Any assessment/benchmark scores available
- The language instruction program being used for the student
- Accommodations and modifications
- Instructional strategies/objectives for the specific level of the student
- Goals for the student to achieve by semester and/or year
- Attachment of English Language Proficiency (ELP) Standards



LAS Links Annual Assessment

Title I, Section 1111 (b) (7)

Overview



- Under Title I, a corporation is responsible for annually assessing the English proficiency of all students who are LEP
- The Annual assessment takes place every year, with the testing window beginning in late January through February. This is also commonly referred to as the “Spring LAS Links Assessment”
- If a student has been identified as a level 1-4 they are required to take this test every year, unlike the Placement assessment, which should only be administered once to a student
- This test is free to all public schools
- The LAS Links Annual assessment is only administered to LEP students

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The LAS Links Annual assessment measures the English proficiency of a student in the following five domains:

Listening
Speaking
Reading
Writing
Comprehension

*Comprehension is assessed through the Listening and Reading sections



Again, like the Placement assessment, the student will be placed into one of five categories:

Level 1	Beginning
Level 2	Early Intermediate
Level 3	Intermediate
Level 4	Proficient
Level 5	Above Proficient/ Fluent English Proficient (FEP)



- It is possible for students to obtain different levels in each domain. For example, a student may score a level 3 in reading but a level 4 in speaking
- While there are levels in each domain, the student will also have an overall score which will identify what level they are. The overall level the student scores is used to determine whether or not the student continues in the language instruction program
- If a student's overall score places them anywhere in levels 1-4, they will remain in the language instruction program and will take the LAS Links Annual assessment the next year



Exiting From Services & Formal Monitoring

Level 5 Students



- If a student receives a Level 5 on the LAS Links Annual assessment, the student is reclassified as Fluent English Proficient (FEP) and begins informal monitoring. At this point, the student no longer generates funding for the corporation
- As a Level 5 student, they are no longer in a language instruction program and do not need an ILP
- The student now has full access to the mainstream curriculum, but still needs to be monitored periodically to make sure they are keeping up
- The student will need to take the Annual LAS Links assessment one more time before they can exit from services

Scoring a Second Level 5



- A student needs to score a second level 5 (consecutively) on the Annual LAS Links assessment in order to fully exit from services
- Once a student has scored two consecutive level 5's on the Annual LAS Links assessment, they will begin their two-year monitoring period

Monitoring of Former LEP Students



After a student has scored a level 5 twice consecutively on the Annual LAS Links assessment, they begin their formal two-year monitoring. Monitoring must ensure the following:

1. Students are able to keep up with their non-LEP peers in the regular educational program
2. Students are able to participate successfully in essentially all aspects of the school's curriculum without the use of simplified English materials
3. Whether their retention in grade and dropout rates are similar to those of their non-LEP peers

Monitoring Form



Corporations will create a monitoring form based on their needs. The following are items from the Office for Civil Rights to think about/include on the monitoring form:

- Who will be responsible for monitoring former EL student(s)?
- How often will the student(s) be monitored?
- What will be monitored? (test scores, grades, state assessments, teacher feedback, etc.)
- What method or criteria will be used to measure if the student(s) has been successful?

What if the Student Doesn't Score Two Level 5's Consecutively?



- If a student scores a level 5 the first year, they exit from services and begin informal monitoring
- If the student does not score a level 5 for the second year, they enter back into the language instruction program and the ILP is re-implemented
- If in the third year the student scores a level 5 again, they must still score a second level 5 the next year in order to exit from services

Example: Exiting From Services



Year	LAS Links Annual Assessment Score	Action
Spring 2009	First Level 5	<ul style="list-style-type: none">-Must take LAS Links Annual Assessment next year-Re-classified as FEP & exits from services-Begins informal monitoring-No longer generates funding
Spring 2010	Second Level 5	<ul style="list-style-type: none">-Does not need to take LAS Links Annual Assessment anymore-Begin two year monitoring
SY 2010-11	N/A	Monitoring Year #1
SY 2011-2012	N/A	Monitoring Year #2
SY 2012 & forward	N/A	N/A



Student Cumulative Folder



A LEP student cumulative folder should have the following information in it:

- Home Language Survey
- Individual Learning Plan (ILP)
- A copy of the Parent Notification letter for the LAS Links Placement assessment
- A copy of the LAS Links student proficiency report
- ISTEP+ scores
- Exiting/Monitoring documents for students in their two-year monitoring period
- If the parent refuses services, a copy of the document indicating so

Helpful Links



OCR: Transitioning/Monitoring EL Performance:

<http://www2.ed.gov/about/offices/list/ocr/ell/transition.html>

OCR: Identification of Discrimination and Denial of Services on the Basis of National Origin:

<http://www2.ed.gov/about/offices/list/ocr/docs/nationaloriginmemo.html>

OCR: The Provision of an Equal Education Opportunity to Limited-English Proficient Students

<http://www2.ed.gov/about/offices/list/ocr/eeolep/index.html>

Title III Accountability:

<http://www.ncela.gwu.edu/accountability/>



Any Questions?

Please feel free to contact the Office of English
Learning and Migrant Education

317-232-0555
amello@doe.in.gov